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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | | 1. Contract ID Code Firm-Fixed-Price | | Page 1 Of 6 | |
| 2. Amendment/Modification No. P00002 | | 3. Effective Date 2004MAY28 | | 4. Requisition/Purchase Req No. SEE SCHEDULE | | 5. Project No. (If applicable) | |
| 6. Issued By TACOM WARREN BLDG 231 AMSTA-AQ-AHPC GREG POLCYN (586)574-7246 WARREN, MICHIGAN 48397-5000 HTTP://CONTRACTING.TACOM.ARMY.MIL EMAIL: POLCYNG@TACOM.ARMY.MIL | | Code W56HZV | | 7. Administered By (If other than Item 6) DCMA PHILADELPHIA 700 ROBBINS AVENUE, BLDG 4-A P.O. BOX 11427 PHILADELPHIA, PA 19111-0427 | | Code S3915A | |
| | | | | SCD C PAS NONE ADP PT HQ0337 | | | |
| 8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) AQUA ENTERPRISE INC. 311 WYCKFORD DRIVE PERKASIE, PA. 18944 TYPE BUSINESS: Other Small Business Performing in U.S. | | | | <input type="checkbox"/> | | 9A. Amendment Of Solicitation No. | |
| | | | | <input type="checkbox"/> | | 9B. Dated (See Item 11) | |
| | | | | <input checked="" type="checkbox"/> | | 10A. Modification Of Contract/Order No. DAAE07-03-C-N167 | |
| | | | | <input type="checkbox"/> | | 10B. Dated (See Item 13) 2003JUL29 | |
| Code 1KW06 | | Facility Code | | | | | |
| 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS | | | | | | | |
| <input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. | | | | | | | |
| 12. Accounting And Appropriation Data (If required) ACRN: AA NET DECREASE: -\$499.62 | | | | | | | |
| 13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS | | | | | | | |
| KIND MOD CODE: G It Modifies The Contract/Order No. As Described In Item 14. | | | | | | | |
| <input type="checkbox"/> | | A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A. | | | | The Changes Set Forth In Item 14 Are Made In | |
| <input type="checkbox"/> | | B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b). | | | | | |
| <input checked="" type="checkbox"/> | | C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: Mutual Agreement of Parties | | | | | |
| <input type="checkbox"/> | | D. Other (Specify type of modification and authority) | | | | | |
| E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return _____ copies to the Issuing Office. | | | | | | | |
| 14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) | | | | | | | |
| SEE SECOND PAGE FOR DESCRIPTION | | | | | | | |
| Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | | | | | |
| 15A. Name And Title Of Signer (Type or print) | | | | 16A. Name And Title Of Contracting Officer (Type or print) ELLEN DENNIS DENNISE@TACOM.ARMY.MIL (586)574-8056 | | | |
| 15B. Contractor/Offeror _____ (Signature of person authorized to sign) | | 15C. Date Signed | | 16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer) | | 16C. Date Signed 2004MAY28 | |
| NSN 7540-01-152-8070 PREVIOUS EDITIONS UNUSABLE | | | | 30-105-02 | | STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243 | |

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| CONTINUATION SHEET | Reference No. of Document Being Continued | | Page 2 of 6 |
| | PIIN/SIIN DAAE07-03-C-N167 | MOD/AMD P00002 | |
| Name of Offeror or Contractor: AQUA ENTERPRISE INC. | | | |

SECTION A - SUPPLEMENTAL INFORMATION
CONTRACT DAAE07-03-C-N167, MODIFICATION P00002

CONTRACT FOR NSN 2520-01-215-0681, MODIFICATION KIT, VE

| | |
|-----------------------------|--------------|
| PRIOR NET VALUE OF CONTRACT | \$157,339.38 |
| TOTAL AMOUNT OF THIS ACTION | (\$ 499.62) |
| NEW CONTRACT VALUE | \$156,839.76 |

- a. The purpose of this Modification P00002 is to change the delivery date of the contract and adjust the overall contract price and change the testing requirements for this contract.
- b. The new delivery date for all quantities on CLIN 0001AA will be NLT 16 June 2004.
- c. The unit price for CLIN 0001AA will be decreased by \$7.57 per unit or (66 X \$7.57) \$499.62 total. The total contract value will be decreased by \$499.62 as outlined above.
- d. FAR Clause 52.211-4016, " CARC PAINT-PRETREATMENT REQUIREMENTS FOR FERROUS AND GALVANIZED SURFACES" is hereby deleted from this contract and replaced with the following FAR Clause: (52.246-4024) (TACOM) Substituting Commercial Test Results for Required Contract Tests.
- e. All other terms and conditions remain the unchanged

*** END OF NARRATIVE A 003 ***

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| CONTINUATION SHEET | Reference No. of Document Being Continued PIIN/SIIN DAAE07-03-C-N167 MOD/AMD P00002 | Page 3 of 6 |
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Name of Offeror or Contractor: AQUA ENTERPRISE INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|--|----------|------|----------------|---------------|
| 0001AA | <p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p> <p><u>PRODUCTION QUANTITY</u></p> <p>66</p> <p>NOUN: MODIFICATION KIT,VE PRON: EH386494EH PRON AMD: 04 ACRN: AA AMS CD: 070011</p> <p><u>Description/Specs./Work Statement</u> TOP DRAWING NR: TDP 12349529 DATE: 25-MAR-2003</p> <p><u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS IN TDP UNIT PACK: 001 LEVEL PRESERVATION: Military LEVEL PACKING: A</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u> DOC SUPPL REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD 001 W56HZV30570868 W25G1U J 3 DEL REL CD QUANTITY DEL DATE 001 32 16-JUN-2004</p> <p>FOB POINT: Destination</p> <p>SHIP TO: <u>FREIGHT ADDRESS</u> (W25G1U) XU TRANSPORTATION OFFICER DDSP NEW CUMBERLAND FACILITY BUILDING MISSION DOOR 113 134 NEW CUMBERLAND PA 17070-5001</p> <p>DOC SUPPL REL CD MILSTRIP ADDR SIG CD MARK FOR TP CD 002 W56HZV30570869 W62G2T J 3 DEL REL CD QUANTITY DEL DATE 001 34 16-JUN-2004</p> <p>FOB POINT: Destination</p> <p>SHIP TO: <u>FREIGHT ADDRESS</u> (W62G2T) XU DEF DIST DEPOT SAN JOAQUIN 25600 S CHRISMAN ROAD REC WHSE 10 PH 209 839 4307 TRACY CA 95376-5000</p> | 66 | KT | \$ 2,376.36000 | \$ 156,839.76 |

Name of Offeror or Contractor: AQUA ENTERPRISE INC.

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|--|----------|------|------------|--------|
| | <p>You can accelerate delivery at no additional cost to the Government.</p> <p>(End of narrative F001)</p> | | | | |

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| CONTINUATION SHEET | Reference No. of Document Being Continued PIIN/SIIN DAAE07-03-C-N167 MOD/AMD P00002 | Page 5 of 6 |
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Name of Offeror or Contractor: AQUA ENTERPRISE INC.

SECTION E - INSPECTION AND ACCEPTANCE

| <u>Status</u> | <u>Regulatory Cite</u> | <u>Title</u> | <u>Date</u> |
|---------------|------------------------|--|-------------|
| E-1 DELETED | 52.211-4016 (TACOM) | CARC PAINT-PRETREATMENT REQUIREMENTS FOR FERROUS AND GALVANIZED SURFACES | SEP/2002 |
| E-2 ADDED | 52.246-4024 (TACOM) | SUBSTITUTING COMMERCIAL TEST RESULTS FOR REQUIRED CONTRACT TESTS | APR/2000 |

(a) GENERAL. At your request, we may delete all or some of the Government or contractor conducted tests required by this contract or order, under the following conditions:

- (1) You have (or your supplier has) previously supplied the identical item to us and we've accepted it, or:
- (2) You have commercial test reports, performance data, analytical data, or vendor reports demonstrating that the item you will be furnishing us meets the contract requirements.

(b) HOW TO SUBMIT A TEST-DELETION REQUEST.

(1) BEFORE CONTRACT AWARD - Submit your request along with your offer in response to our solicitation. Make sure that your offer includes an alternate price (that reflects how your offered price would change if we approve your request to delete the specified tests). If we approve your request to delete test requirements or substitute commercial testing procedures, we will evaluate your offer at the alternate price submitted with your request. If you don't submit an alternate price with your request, we'll evaluate your offer at the price you indicated in the Schedule. No adjustments will be made to the price after contract award.

(2) AFTER CONTRACT AWARD - Send your request to the buyer identified on the face page of the contract within 45 days after contract award.

- (3) ALL REQUESTS MUST -
 - identify the test(s) you want deleted;
 - state the basis for your request;
 - include a list of configuration changes made;
 - demonstrate that you meet the conditions in paragraph (a)(1) or (a)(2) of this clause; and
 - include an alternate price per paragraph (b)(1) above, if you make your request prior to award; or
 - include proposed amount of equitable adjustment, if you make your request after award.

(c) SUPPORTING DATA. If we agree to delete a test or tests, you must keep the data you used to support your request for four years from the day we approved your request. You must provide us with such data if we ask for a copy.

(d) CONTRACT ADJUSTMENT. If we agree to delete a test or tests after contract award, we may negotiate an equitable adjustment in the contract price. Any such negotiation will be conducted using the rules given in the CHANGES--FIXED PRICE clause, FAR 52.243-1.

[End of Clause]

Name of Offeror or Contractor: AQUA ENTERPRISE INC.

SECTION G - CONTRACT ADMINISTRATION DATA

| LINE | PRON/ AMS CD/ ITEM MIPR | OBLG STAT/ ACRN JOB ORD NO | PRIOR AMOUNT | INCREASE/DECREASE AMOUNT | CUMULATIVE AMOUNT |
|------------|-------------------------------|-------------------------------|---------------|-----------------------------|----------------------|
| 0001AA | EH386494EH 070011 | AA 2 \$ | 157,339.38 \$ | -499.62 \$ | 156,839.76 |
| NET CHANGE | | | | \$ -499.62 | |

| SERVICE NAME | NET CHANGE BY ACRN | ACCOUNTING CLASSIFICATION | ACCOUNTING STATION | INCREASE/DECREASE AMOUNT |
|-----------------|-----------------------|---------------------------|-----------------------|-----------------------------|
| Army | AA | 97 X4930AC6D 6D | 26FB S20113 | W56HZV \$ -499.62 |
| NET CHANGE | | | | \$ -499.62 |

| | PRIOR AMOUNT OF AWARD | INCREASE/DECREASE AMOUNT | CUMULATIVE OBLIG AMT |
|-----------------------|--------------------------|-----------------------------|-------------------------|
| NET CHANGE FOR AWARD: | \$ 157,339.38 | \$ -499.62 | \$ 156,839.76 |